



North Carolina Department of Environment and Natural Resources
Division of Water Resources

Michael F. Easley, Governor

William G. Ross Jr., Secretary
John N. Morris, Director

Cities of Concord and Kannapolis Proposed Interbasin Transfer

NOTICE OF PUBLIC REVIEW OF ENVIRONMENTAL IMPACT STATEMENT

Beginning of Review Period: May 26, 2006

Deadline for Comment Submittal: July 25, 2006

The public is invited to comment on the environmental impact statement (EIS) accompanying the request by the cities of Concord and Kannapolis, NC for an interbasin transfer. The Cities of Concord and Kannapolis have requested an interbasin transfer (IBT) certificate from the North Carolina Environmental Management Commission for an average day IBT of up to 22 million gallons per day (MGD). The associated maximum day IBT being requested is up to 36 MGD from the Catawba River Basin and up to 10 MGD from the Yadkin River Basin. Under the request, the total IBT from both source basins would not exceed 36 MGD on a maximum day basis or 22 MGD on an average day basis.

Under the proposal, the applicants would meet short-term water supply demand increases using interconnections with Charlotte (Catawba), Salisbury (Yadkin), and Albemarle (Yadkin). These interconnections may be increased to meet long term demands or could be met by developing a raw water supply from Lake Norman (Catawba) to supplement flows to Lake Howell and Kannapolis Lake. IBT occurs because of consumptive use in and discharge to the Rocky River Basin via the Water and Sewer Authority of Cabarrus County's Rocky River Regional Wastewater Treatment Plant. The IBT certificate is being requested to meet a projected cumulative water demand shortfall of 22 MGD (average day demand) in 2035.

The EIS document may be downloaded at the DWR web site:

http://www.ncwater.org/Permits_and_Registration/Interbasin_Transfer/Status/Concord/FEIS/

Notice of this public review is being made via either US Mail or email notice to:

- 1) persons who have registered a water withdrawal or transfer from either the Catawba or Yadkin River Basin,
- 2) persons who have secured an interbasin transfer certificate from either the Catawba or Yadkin River Basin,
- 3) persons who hold a National Pollutant Discharge Elimination System (NPDES) wastewater discharge permit exceeding 100,000 gallons per day for a discharge located in either the Catawba or Yadkin River Basin,

- 4) the boards of County Commissioners of each county located either entirely or partially within the Catawba or Yadkin River Basins,
- 5) the governing bodies of any public water supply system that withdraws water from either the Catawba or Yadkin River Basin,
- 6) persons who participated in the on-going Federal Energy Regulatory Commission (FERC) relicensing processes in either the Catawba or Yadkin River Basin,
- 7) appropriate media via press release,
- 8) persons who submitted comments on the draft Environmental Impact Statement (EIS) for this project which was undergoing public review in the Summer of 2005, and
- 9) persons who have expressed interest to the Division of Water Resources in being notified.

The public may view an electronic CD copy of the Environmental Impact Statement (EIS) during operating hours at any of the following public libraries in the source and receiving basins:

ALEXANDER COUNTY LIBRARY

77 1st Avenue, SW
Taylorsville, NC 28681-2639
Phone: (828) 632-4058
Fax: (828) 632-1094
Gary Hoyle, Director
ghoyle@co.alexander.nc.us

ANSON COUNTY

HAMPTON B. ALLEN LIBRARY

120 South Greene Street
Wadesboro, NC 28170-2773
Phone: (704) 694-5177
Fax: (704) 694-5178
Phoebe Medlin, Branch Head
phoebe.medlin@ncmail.net

AVERY COUNTY LIBRARY

289 Burnsville School Road
Burnsville, NC 28714
Phone: (828) 682-4476
Patty Bowers, Director

BURKE COUNTY PUBLIC LIBRARY

204 South King Street
Morganton, NC 28655-3535
Phone: (828) 437-5638
Fax: (828) 433-1914
Tresia Dodson, Director
tdodson@bcpls.org

CABARRUS COUNTY PUBLIC LIBRARY

27 Union Street, North
Concord, NC 28025-4793
Phone: (704) 920-2050
Fax: (704) 784-3822
Tom Dillard, Director
TWDillard@cabarruscounty.us

CABARRUS COUNTY

KANNAPOLIS BRANCH LIBRARY

1050 Mountain Street
Kannapolis, NC 28081-2000
Phone: (704) 920-1180
Fax: (704) 938-3512
Teresa Prather, Branch Head
tbprather@cabarruscounty.us

CALDWELL COUNTY PUBLIC LIBRARY

120 Hospital Avenue
Lenoir, NC 28645-4454
Phone: (828) 757-1270
Fax: (828) 757-1413
Jim McKee, Director
jmckee@co.caldwell.nc.us

CATAWBA COUNTY LIBRARY

115 West C Street
Newton, NC 28658-3397
Phone: (828) 465-8664
Fax: (828) 465-8983
Karen Foss, Director
KFoss@catawbacountync.gov

**CATAWBA COUNTY LIBRARY
SOUTHWEST BRANCH LIBRARY**

2944 Highway 127 South
Hickory, NC 28602-5401
Phone: (828) 294-2343
Fax: (828) 294-2477
Glenda Ramsey, Branch Head
gramsey@catawbacountync.gov

**DAVIDSON COUNTY PUBLIC
LIBRARY SYSTEM**

602 South Main Street
Lexington, NC 27292
Phone: (336) 242-2064
Fax: (336) 249-8161
Ruth Ann Copley, Director
rcopley@co.davidson.nc.us

DAVIE COUNTY PUBLIC LIBRARY

371 North Main Street
Mocksville, NC 27028-2115
Phone: (336) 751-2023
Fax: (336) 751-1370
Ruth Hoyle, Director
ruth.hoyle@co.davie.nc.us

**FORSYTH COUNTY PUBLIC
LIBRARY**

660 West Fifth Street
Winston-Salem, NC 27101
Phone: (336) 727-2556
Fax: (336) 727-2549
Sylvia Sprinkle-Hamlin, Director
hamlinss@forsythlibrary.org

GASTON COUNTY PUBLIC LIBRARY

(Gaston-Lincoln Regional Library System)
1555 East Garrison Boulevard
Gastonia, NC 28054-5156
Phone: (704) 868-2164
Fax: (704) 853-6012
Cindy Moose, Director
cmoose@co.gaston.nc.us

IREDELL COUNTY LIBRARY

PO Box 1810
201 North Tradd Street
Statesville, NC 28687-1810
Phone: (704) 878-3090
Fax: (704) 878-5449
Steve L. Messick, Director
smessick@iredell.lib.nc.us

**LINCOLN COUNTY PUBLIC
LIBRARY**

CHARLES R. JONAS LIBRARY
(Gaston-Lincoln Regional Library System)
306 West Main Street
Lincolnton, NC 28092-2651
Phone: (704) 735-8044
Fax: (704) 732-9042
Lesley Levine, Branch Head
llevine@lincolncounty.org

**MCDOWELL COUNTY PUBLIC
LIBRARY**

90 West Court Street
Marion, NC 28752-3999
Phone: (828) 652-3858
Fax: (828) 652-2098
Elizabeth House, Acting Director
ehouse@mcdowell.main.nc.us

**MECKLENBURG -- PUBLIC LIBRARY
OF CHARLOTTE & MECKLENBURG
COUNTY**

310 North Tryon Street
Charlotte, NC 28202
Phone: (704) 336-2801
Fax: (704) 336-2677
Charles Brown, Director
cbrown@plcmc.org

MONTGOMERY COUNTY LIBRARY

215 West Main Street
Troy, NC 27371-2999
Phone: (910) 572-1311
Fax: (910) 576-5565
Donna Windish, Branch Head
donna.windish@ncmail.net

**RANDOLF COUNTY PUBLIC
LIBRARY
ASHEBORO PUBLIC LIBRARY**

201 Worth Street
Asheboro, NC 27203-5593
Phone: (336) 318-6800
Fax: (336) 318-6823
Suzanne Tate, Central Library Head
state@randolphlibrary.org

**RICHMOND COUNTY LIBRARY
THOMAS H. LEATH MEMORIAL
LIBRARY**

412 East Franklin Street
Rockingham, NC 28379
Phone: (910)895-6337
Fax: (910)895-5851
Anne Thrower, Branch Head
anne.thrower@ncmail.net

ROWAN COUNTY PUBLIC LIBRARY

PO Box 4039
201 West Fisher Street
Salisbury, NC 28145-4039
Phone: (704) 216-8228
Fax: (704) 216-8237
Phillip Barton, Director
bartonp@co.rowan.nc.us

STANLY COUNTY PUBLIC LIBRARY

133 East Main Street
Albemarle, NC 28001-4993
Phone: (704) 986-3765
Fax: (704) 983-6713
Penny Welling, Director
p-welling@carolina.rr.com

**STOKES COUNTY PUBLIC LIBRARY
KING PUBLIC LIBRARY**

101 Pilot View Drive
King, NC 27021-0451
Phone: (336) 983-3868
Fax: (336) 983-0769
Julie Raynor, Branch Head
jraynor@nwrl.org

**SURRY COUNTY PUBLIC LIBRARY
MOUNT AIRY PUBLIC LIBRARY**

145 Rockford Street
Mount Airy, NC 27030-4797
Phone: (336) 789-5108
Fax: (336) 786-5838
Pat Gwyn, Branch Head
pgwyn@nwrl.org

UNION COUNTY PUBLIC LIBRARY

316 East Windsor Street
Monroe, NC 28112-4844
Phone: (704) 283-8184
Fax: (704) 282-0657
Martie Smith, Director
msmith@union.lib.nc.us

WATAUGA COUNTY PUBLIC LIBRARY

140 Queen Street
Boone, NC 28607-3589
Phone: (828) 264-8784
Fax: (828) 264-1794
John Blake, Branch Head
jblake@arlibrary.org

WILKES COUNTY PUBLIC LIBRARY

215 10th Street
North Wilkesboro, NC 28659-4199
Phone: (336) 838-2818
Fax: (336) 667-2638
Louise Humphrey, Branch Head
lhumphrey@arlibrary.org

YADKIN COUNTY PUBLIC LIBRARY

233 East Main Street
Yadkinville, NC 27055-0607
Phone: (336) 679-8792
Fax: (336) 679-4625
Malinda Sells, Branch Head
msells@nwrl.org

The public may also inspect the Environmental Impact Statement (EIS) during normal business hours at the offices of DWR, 512 N. Salisbury Street, Room 1106, Archdale Building, Raleigh.

According to the EIS, there are no expected significant direct impacts in either the Catawba River or Yadkin River Sub-Basins. Except during exceptional drought, no significant changes are predicted in lake levels, downstream flows, or water supply withdrawals. Impacts during exceptional drought are estimated and presented in the EIS. Direct impacts on water supply, water quality, wastewater assimilation, fish and wildlife resources, navigation, or recreation are not expected since there will be no significant changes in the hydrology of the system due to the increased withdrawal.

The draft EIS concludes that there are no secondary impacts related to growth in either of the source basins. However, the IBT will provide additional water supply to support growth and development in the receiving basin. Mitigation measures presented in the EIS are expected to mitigate secondary impacts related to growth and development in the receiving basin.

The draft EIS was circulated among agencies of the Department of Environment and Natural Resources. The Division of Water Quality, the Natural Heritage Program, and the Wildlife Resources Commission were the commenting agencies. Their comments included concerns concentrated on secondary and cumulative impacts in the receiving basin on aquatic habitat and water quality. Suggested mitigation measures were discussed, such as stream buffers and development ordinances/requirements to make sure buffers are protected during the development process and stormwater management requirements, including low impact development measures.

Under the Regulation of Surface Water Transfers Act (G.S. 143-215.22I), persons intending to transfer surface water from one river basin to another in the amount of 2.0 MGD or more, or increase an existing transfer by 25 percent or more, must first obtain a certificate from the Environmental Management Commission.

The Environmental Management Commission is seeking comments on two options with regard to the interbasin transfer request. The options are: (a) grant the certificate including any conditions necessary to achieve the purposes of the statute or to provide mitigation measures, including the possibility of lower transfer amounts; or (b) deny the interbasin transfer request.

The public is invited to comment on the following possible conditions and to suggest any other appropriate conditions, including limitations on the amount of the transfer:

1. The Cities of Concord and Kannapolis may receive water under the certificate only if they enact and maintain the following buffer definitions as part of their Unified Development Ordinances (UDOs):
 - A perennial stream buffer shall be an undisturbed area measured, at minimum, 50 feet from the top of stream bank plus 20 feet of vegetated setback, totaling 70 feet; and
 - An intermittent stream buffer shall be an undisturbed area measured from the top of stream bank perpendicularly for a distance of 20 feet with an additional 10 feet of vegetated setback, totaling 30 feet; and only if they enact and maintain the following requirements within stream buffer areas:
 - No new on-site sewage systems utilizing ground adsorption
 - No new structures
 - Maintenance of stream buffers to maintain sheet flow and provide for diffusion and infiltration of runoff and filtering of pollutants

A substantial failure to enforce any ordinance implementing this condition will be considered a violation of this condition.
2. The Cities of Concord and Kannapolis shall not provide to other municipalities and counties water and/or sewer services unless such other municipalities and counties enact and maintain UDOs at least as stringent as those of the Cities of Concord and Kannapolis, including the stream buffer requirements. A substantial failure to enforce any ordinance implementing this condition will be considered a violation of this condition. (Municipalities and counties potentially affected include Harrisburg, Landis, Midland, Mount Pleasant, and Cabarrus County.)
3. During periods of drought, the cities of Concord and Kannapolis shall require water conservation measures at least as stringent as any in effect in any area of the source basins, and shall not provide to other municipalities and counties water and/or sewer services unless such other municipalities and counties require water conservation measures at least as stringent as any in effect in any area of the source basins.
4. The holders of the certificate shall work with the Division of Water Resources to develop a compliance and monitoring plan subject to approval by the Division. The plan will include methodologies and reporting schedules for reporting the following information: maximum daily transfer amounts, compliance with permit conditions, progress on mitigation measures, and drought management. A copy of the approved plan will be kept on file with the Division for public inspection. The holders of the certificate shall not receive any water under the certificate until the Division has approved the plan in writing. The Division may modify the compliance and monitoring plan as appropriate to enable the Division to assess compliance with the certificate. Upon a request by the Division for any information that is appropriate to assess compliance with the certificate, and in such time as the Division may prescribe, the holder of the certificate shall provide such information. Upon a request by the Division to inspect any facilities or equipment to assess compliance with the certificate, the holder of the certificate shall allow such inspection.

5. If, at any time, (a) the record upon which this certificate is based, including the Environmental Impact Statement, is found to contain material, incorrect information, (b) new information indicates that the impacts associated with the transfer are substantially different from the projected impacts that formed the basis for certifying the IBT, or (c) the certificate holder is found to be in violation of the certificate, the Environmental Management Commission may reopen the certificate to add, modify, or delete any conditions to ensure continuing compliance with the law, including mitigation of impacts and protection of availability of water in the source basin during drought and/or emergency.

Written comments can be mailed to Phil Fragapane, Division of Water Resources, DENR, 1611 Mail Service Center, Raleigh, NC 27699-1611. Comments may also be submitted electronically to Phil.Fragapane@ncmail.net. All comments must be received before 5:00 PM on July 26, 2006. Mailed and emailed comments will be given equal weight.

For more information or to download the EIS visit the Division of Water Resources' website at

http://www.ncwater.org/Permits_and_Registration/Interbasin_Transfer/Status/Concord/FEIS/

You may also contact Phil Fragapane in the Division of Water Resources at 919-715-0389, or email: Phil.Fragapane@ncmail.net